

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 1. Short title. This Act may be cited as the Regional Planning Act.

Section 5. Purpose. The General Assembly declares and determines that a streamlined, consolidated regional planning agency is necessary in order to plan for the most effective public and private investments in the northeastern Illinois region and to better integrate plans for land use and transportation. It is the intent of the General Assembly to consolidate, through an orderly transition, the functions of the Northeastern Illinois Planning Commission (NIPC) and the Chicago Area Transportation Study (CATS) in order to address the development and transportation challenges in the northeastern Illinois region.

Section 10. Definitions.

"Board" means the Regional Planning Board.

"CATS" means the Chicago Area Transportation Study.

"CATS Policy Committee" means the policy board of the Chicago Area Transportation Study.

"Chief elected county official" means the Board Chairman in DuPage, Kane, Kendall, Lake, and McHenry Counties and the County Executive in Will County.

"Fiscal year" means the fiscal year of the State.

"IDOT" means the Illinois Department of Transportation.

"MPO" means the metropolitan planning organization designated under 23 U.S.C. 134.

"Members" means the members of the Regional Planning Board.

"NIPC" means the Northeastern Illinois Planning Commission.

"Person" means an individual, partnership, firm, public or private corporation, State agency, transportation agency, or unit of local government.

"Region" or "northeastern Illinois region" means Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will Counties.

"State agency" means "agency" as defined in Section 1-20 of the Illinois Administrative Procedure Act.

"Transition period" means the period of time the Regional Planning Board takes to fully implement the funding and implementation strategy described under subsection (a) of Section 15.

"Transportation agency" means the Regional Transportation Authority and its Service Boards; the Illinois Toll Highway Authority; the Illinois Department of Transportation; and the transportation functions of units of local government.

"Unit of local government" means a unit of local government, as defined in Section 1 of Article VII of the Illinois Constitution, that is located within the jurisdiction and area of operation of the Board.

"USDOT" means the United States Department of Transportation.

Section 15. Regional Planning Board; powers.

(a) The Regional Planning Board is established as a political subdivision, body politic, and municipal corporation. The Board shall be responsible for developing and adopting a funding and implementation strategy for an integrated land use and transportation planning process for the northeastern Illinois region. The strategy shall include a process for the orderly transition of the CATS Policy Committee to be a standing transportation planning body of the Board and NIPC to be a standing comprehensive planning body of the Board. The CATS Policy Committee and NIPC shall continue to exist and perform their duties throughout the transition period. The strategy must also include recommendations for legislation for transition, which must contain a complete description of

recommended comprehensive planning functions of the Board and an associated funding strategy and recommendations related to consolidating the functions of the Board, the CATS Policy Committee, and NIPC. The Board shall submit its strategy to the General Assembly no later than September 1, 2006.

(b) The Regional Planning Board shall, in addition to those powers enumerated elsewhere in this Act:

(1) Provide a policy framework under which all regional plans are developed.

(2) Coordinate regional transportation and land use planning.

(3) Identify and promote regional priorities.

(4) Serve as a single point of contact and direct all public involvement activities.

(5) Create a Citizens' Advisory Committee.

(c) The Board shall consist of 15 voting members as follows:

(1) One member from DuPage County appointed cooperatively by the mayors of DuPage County and the chief elected county official of DuPage County.

(2) One member representing both Kane and Kendall Counties appointed cooperatively by the mayors of Kane County and Kendall County and the chief elected county officials of Kane County and Kendall County.

(3) One member from Lake County appointed cooperatively by the mayors of Lake County and the chief elected county official of Lake County.

(4) One member from McHenry County appointed cooperatively by the mayors of McHenry County and the chief elected county official of McHenry County.

(5) One member from Will County appointed cooperatively by the mayors of Will County and the chief elected county official of Will County.

(6) Five members from the City of Chicago appointed by the Mayor of the City of Chicago.

(7) One member from that portion of Cook County outside

of the City of Chicago appointed by the President of the Cook County Board of Commissioners.

(8) Four members from that portion of Cook County outside of the City of Chicago appointed, with the consent of the President of the Cook County Board of Commissioners, as follows:

(i) One by the mayors representing those communities in Cook County that are outside of the City of Chicago and north of Devon Avenue.

(ii) One by the mayors representing those communities in Cook County that are outside of the City of Chicago, south of Devon Avenue, and north of Interstate 55, and in addition the Village of Summit.

(iii) One by the mayors representing those communities in Cook County that are outside of the City of Chicago, south of Interstate 55, and west of Interstate 57, excluding the communities of Summit, Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park.

(iv) One by the mayors representing those communities in Cook County that are outside of the City of Chicago and east of Interstate 57, and, in addition, the communities of Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park.

The terms of the members initially appointed to the Board shall begin within 60 days after this Act takes effect.

(d) The CATS Policy Committee and NIPC shall each appoint one of their members to serve as a non-voting member of the Regional Planning Board.

(e) Concurrence of four-fifths of the Board members in office is necessary for the Board to take any action, including remanding regional plans with comments to the CATS Policy Committee and NIPC.

Section 20. Duties. In addition to those duties enumerated elsewhere in this Act, the Regional Planning Board shall:

(1) Hire an executive director to coordinate staff work of CATS and NIPC. The executive director shall hire a deputy for comprehensive planning and a deputy for transportation planning with the approval of NIPC and the CATS Policy Committee, respectively.

(2) Merge the staffs of CATS and NIPC into a single staff over a transition period that protects current employees' benefits.

(3) Secure agreements with funding agencies to provide support for Board operations.

(4) Develop methods to handle operational and administrative matters relating to the transition, including labor and employment matters, pension benefits, equipment and technology, leases and contracts, office space, and excess property.

(5) Notwithstanding any other provision of law to the contrary, within 180 days after this Act becomes law, locate the staffs of CATS and NIPC within the same office.

Section 25. Operations.

(a) Each appointing authority shall give notice of its Board appointments to each other appointing authority, to the Board, and to the Secretary of State. Within 30 days after his or her appointment and before entering upon the duties of the office, each Board member shall take and subscribe to the constitutional oath of office and file it with the Secretary of State. Board members shall hold office for a term of 4 years or until successors are appointed and qualified. The terms of the initial Board members shall expire as follows:

(1) The terms of the member from DuPage County and the member representing both Kane and Kendall Counties shall expire on July 1, 2007.

(2) The terms of those members from Lake, McHenry, and Will Counties shall expire on July 1, 2009.

(3) As designated at the time of appointment, the terms of 2 members from the City of Chicago shall expire on July

1, 2007 and the terms of 3 members from the City of Chicago shall expire on July 1, 2009.

(4) The term of the member appointed by the President of the Cook County Board of Commissioners shall expire on July 1, 2007.

(5) The terms of those members appointed, with the consent of the President of the Cook County Board of Commissioners, by the mayors representing those communities in Cook County that are outside of the City of Chicago and north of Devon Avenue shall expire on July 1, 2007.

(6) The terms of those members appointed, with the consent of the President of the Cook County Board of Commissioners, by the mayors representing those communities in Cook County that are outside of the City of Chicago, south of Interstate 55, and west of Interstate 57, excluding the communities of Summit, Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park, shall expire on July 1, 2007.

(7) The terms of those members appointed, with the consent of the President of the Cook County Board of Commissioners, by the mayor representing those communities in Cook County that are outside of the City of Chicago, south of Devon Avenue, and north of Interstate 55, and, in addition, the Village of Summit, shall expire on July 1, 2009.

(8) The terms of those members appointed, with the consent of the President of the Cook County Board of Commissioners, by the mayors representing those communities in Cook County that are outside of the City of Chicago and east of Interstate 57, and, in addition, the communities of Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park, shall expire on July 1, 2009.

(b) If a vacancy occurs, the appropriate appointing authority shall fill the vacancy by an appointment for the unexpired term. Board members shall receive no compensation,

but shall be reimbursed for expenses incurred in the performance of their duties.

(c) The Board shall be so appointed as to represent the City of Chicago, that part of Cook County outside the City of Chicago, and that part of the metropolitan region outside of Cook County on a one man one vote basis. Within 6 months after the release of each certified federal decennial census, the Board shall review its composition and, if a change is necessary in order to comply with the representation requirements of this subsection (c), shall recommend the necessary revision for approval by the General Assembly.

(d) Regular meetings of the Board shall be held at least once in each calendar quarter. The time and place of Board meetings shall be fixed by resolution of the Board. Special meetings of the Board may be called by the chairman or a majority of the Board members. A written notice of the time and place of any special meeting shall be provided to all Board members at least 3 days prior to the date fixed for the meeting, except that if the time and place of a special meeting is fixed at a regular meeting at which all Board members are present, no such written notice is required. A majority of the Board members in office constitutes a quorum for the purpose of convening a meeting of the Board.

(e) The meetings of the Board shall be held in compliance with the Open Meetings Act. The Board shall maintain records in accordance with the provisions of the State Records Act.

(f) At its initial meeting and its first regular meeting after July 1 of each year thereafter, the Board shall appoint from its membership a chairman and vice chairman and shall provide the term and duties of those officers pursuant to its bylaws. The vice chairman shall act as chairman during the absence or disability of the chairman and in case of resignation or death of the chairman. Before entering upon duties of office, the chairman shall execute a bond with corporate sureties to be approved by the Board and shall file it with the principal office of the Board. The bond shall be

payable to the Board in whatever penal sum may be directed and shall be conditioned upon the faithful performance of the duties of office and the payment of all money received by the chairman according to law and the orders of the Board. The Board may appoint, from time to time, an executive committee and standing and ad hoc committees to assist in carrying out its responsibilities.

Section 30. Jurisdiction and area of operation. The jurisdiction and area of operation of the Board includes Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will Counties. The Board may enter into agreements with units of local government located outside of, but contiguous to, its jurisdiction and area of operation in order to include those areas in plans for the region. For activities related to the MPO, the jurisdiction of the MPO shall be that area defined by federal requirements.

Section 35. General powers and authority. In addition to any other rights, powers, duties, or obligations granted to the Board under this Act or specifically granted to the Board under any other law, the Board has all of the following general powers and authority:

(1) To sue and be sued in its official name.

(2) To enter into agreements with units of local government, transportation agencies, State agencies, federal agencies, and persons in order to implement any of the provisions of this Act, including agreements for specialized planning services.

(3) To accept and expend, for purposes consistent with the purposes of this Act, funds and moneys from any source, including gifts, bequests, grants, appropriations, loans, or contributions made by any person, unit of local government, the State, or the federal government.

(4) To enter into contracts or other transactions with any unit of local government, transportation agency, State agency, public or private organization, or any other source

in furtherance of the purpose of this Act, and to take any necessary action in order to avail itself of such aid and cooperation.

(5) To purchase, receive, take by grant, gift, devise, or bequest, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal in and with real or personal property, or any interest therein, wherever situated.

(6) To adopt, alter, or repeal its own bylaws and any rules that the Board deems necessary in governing the exercise of its authority and the performance of its duties under this Act.

(7) To make purchases under this Act in compliance with the Local Government Prompt Payment Act.

(8) To adopt an annual operating budget and work program for each fiscal year and make appropriations in accordance with the Illinois Municipal Budget Law and to have the power to expend such budgeted moneys.

(9) To exercise any other implied powers that are necessary or convenient for the Board to accomplish its purposes and that are not inconsistent with its expressed powers.

(10) To cooperate with any planning agency of a state contiguous to the region in order to integrate and coordinate plans for development of urban areas in that state with the regional comprehensive plan developed under this Act.

Section 40. Public participation; public hearing; Citizens' Advisory Committee.

(a) The Board shall develop, implement, and maintain a process of public participation designed to: (i) inform and involve the public in all of the public activities and decisions of the Board; (ii) provide access to public records and information maintained by the Board; and (iii) provide mechanisms for public suggestions. The Board shall serve as the

single point of contact and direct all public involvement activities.

(b) In connection with its review and development of any regional plans and prior to any plan's approval, the Board must hold a public hearing. Notice of the time, date, and place set for the hearing must be published in a newspaper having a general circulation within the Chicago region at least 30 days prior to the date of the hearing. The notice must contain a short explanation of the purpose of the hearing. The hearing may be continued, as deemed necessary by the Board.

(c) The Board shall create a standing Citizens' Advisory Committee to provide continuous and balanced public representation in the development of regional plans and policies.

Section 45. Regional comprehensive plan. At intervals not to exceed every 5 years, the Board shall develop a regional comprehensive plan that integrates land use and transportation. The regional comprehensive plan and any modifications to it shall be developed cooperatively by the Board, the CATS Policy Committee, and NIPC with the involvement of citizens, units of local government, business and labor organizations, environmental organizations, transportation and planning agencies, State agencies, private and civic organizations, public and private providers of transportation, and land preservation agencies. Units of local government shall continue to maintain control over land use and zoning decisions.

Section 50. Coordinated regional advocacy.

(a) The Board shall be responsible for identifying regional priorities and providing coordinated advocacy of regional priorities. The Board shall act to ensure that regional priorities are supported by consistent information and that plans of various agencies related to those regional priorities are fully integrated.

(b) The Board shall annually publish a list of regional priorities and major public projects for which it is providing coordinated regional advocacy.

Section 55. Transportation financial plan.

(a) Concurrent with preparation of the regional transportation and comprehensive plans, the Board shall prepare and adopt, in cooperation with the CATS Policy Committee, a transportation financial plan for the region in accordance with federal and State laws, rules, and regulations.

(b) The transportation financial plan shall address the following matters related to the transportation agencies: (i) adequacy of funding to meet identified needs; and (ii) allocation of funds to regional priorities.

(c) The transportation financial plan may propose recommendations for additional funding by the federal government, the State, or units of local government that may be necessary to fully implement regional plans.

Section 60. Metropolitan planning organization.

(a) It is the intent of this Act that the CATS Policy Committee, as the Transportation Planning Committee for the Board, remain the federally designated Metropolitan Planning Organization for the Chicago region under the requirements of federal regulations promulgated by USDOT. The CATS Policy Committee shall prepare and approve all plans, reports, and programs required of an MPO, including the federally mandated Regional Transportation Plan, Transportation Improvement Program and Unified Work Program.

(b) The processes previously established by the CATS Policy Committee shall be continued as the means by which local elected officials program federal Surface Transportation Program and Congestion, Mitigation, and Air Quality funds and address other regional transportation issues.

Section 65. Annual report. The Board shall prepare,

publish, and distribute an annual report and any other reports and plans that relate to the purpose of this Act.

Section 70. Transition period. The transition period must end no later than 36 months after the initial appointment of the Board, provided that sufficient funding sources have been identified and implemented. The Board must fully implement the funding and implementation strategy it is charged with developing and adopting in subsection (a) of Section 15 by the end of the transition period.

Section 99. Effective date. This Act takes effect upon becoming law.